

# **Rule 375-5-3-.03. Procedures for Commercial Driver Training School License**

## **1. Procedures for Commercial Driver Training School License**

- (1a) Before any original license may be issued to any person for a commercial driver training school to operate in the State of Georgia, an application shall be made in writing to the Department, on a form prepared and furnished by the Department. The application shall include the following minimum information:
  - (ai) The title or name of the school together with complete ownership and names and addresses of directors, officers and controlling stockholders therein.
  - (bii) The specific curriculum of instruction, submitted to the Department for approval shall include the number of hours for classroom, range and on the road training. On the road training shall be defined as actual individual behind the wheel training on the streets and highways within Georgia.
  - (ciii) The place or places where such instruction will be given.
  - (div) A statement that the owners of the commercial driver training school are twenty-one (21) years of age or over.
- (2b) The applicant must submit a certified copy from the clerk of the appropriate Superior Court evidencing the registration of a business or trade name if the business is to be conducted under such a trade name in lieu of the name of the corporation, person, partnership, or other entity, which owns such driver training school.
- (3c) The application by the owner, partners, officers or controlling stockholders of any commercial driver training school shall be accompanied by one (1) 2 X 2 photograph of the applicant. The photograph shall be taken within thirty (30) days of the date of filing the application. The photograph must show a full view of the face, neck, shoulders and uncovered head.
- (4d) The applicant must submit a notarized certification of the adopted business name if such business is to be conducted under an adopted business name. The application shall list the complete corporate name and any trade name to be used.
- (5e) The applicant must submit to the Department, in addition to all other requirements, the following:
  - (ai) Samples of any and all contracts to be used by the school.
  - (bii) Sample copies of all forms to be used by the school that will be furnished or delivered to its students.
  - (ciii) Sample copies of all forms or receipts to be used by the school.
  - (div) A list designating the full names and addresses of all instructors of the school.

- (6f) The application by the owner, partners, officers or controlling stockholders of any commercial driver training school shall be accompanied by two (2) sets of fingerprints of each digit of the right and left hands, an affidavit from a state, county, or city officer qualified to make such fingerprints that the fingerprints are those of the applicants, and a processing fee for the actual cost of processing for each set fingerprint cards.

## **2. License Fees**

Every application for a commercial driver training school license must be accompanied by a fee of \$25.00 by money order, certified or cashier's check payable to the Department and attached to the application form. Such fee shall be non-refundable.

## **3. Display of License**

- (a) The license must be clearly displayed in a conspicuous location at all times where it can be viewed by the public in the principal place of business of the school.
- (b) If either the any license or vehicle registration card issued pursuant to this Chapter is lost, mutilated, or destroyed, a duplicate will be issued by the Department upon receipt of an affidavit showing the following:
- (i) The date the license or card was lost, mutilated or destroyed.
  - (ii) The circumstances of the loss, mutilation, or destruction.
- (c) The fee for a duplicate license or card shall be the same as the fee for renewal of the license or card.

## **4. Nontransferability**

- (a) Any license for a commercial driver training school shall be non-transferable. In the event of a change of ownership, except in the case of a corporation unless there is a sale of the controlling interest, application for a new license shall be made to the Department and the old license must be surrendered to the Department before another license can be issued to the new owner.
- (b) The application for a new license shall be made in the same manner as for an original license for a commercial driver training school and the fee shall be the same as for an original license.

## **5. Expiration of License**

Each license for a commercial driver training school and each instructor's license shall expire four (4) years from date of issuance. Each such license must be renewed every four years in the manner prescribed by the Department.

## **6. Renewal of License**

- (a) Application for a renewal of the license for a commercial driver training school and/or vehicle registration card shall be made on a form prescribed by and furnished by the Department. A fee of \$25.00 must accompany the renewal application by money order, certified or cashier's check payable to the Department. Such fee shall be non-refundable.
- (b) Renewal application forms (for school license and/or vehicle registration card) must be submitted to the Department not more than sixty days nor less than thirty (30) days preceding the expiration date of the license to be renewed.
- (c) Owners who allow their school's license to expire will not be permitted to operate the school under any condition during the period in which the license is in an expired state.

**O.C.G.A. Sec. 43-13-4, 43-14-6, 43-13-8**

### **SYNOPSIS**

#### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of the amendments is to update the existing rule and consolidate six (6) rules to form one (1) comprehensive rule to streamline state government regulations.

#### **DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES**

The proposed amendment will clarify and streamline rules and regulations related to licensing commercial driver training schools.